

**REMARKS**

In the Office Action dated October 6, 2005, the Examiner required restriction under 35 U.S.C. § 121 among Group I, claims 30 and 31, drawn to a method for producing an antibody against HIV-1 type O virus, classified in class 424, subclass 188.1; Group II, claims 32-34, drawn to a kit for the detection of antibodies against an HIV-1 type O polyprotein, classified in class 435, subclass 5; and Group III, claims 35-37, drawn to a method for preparing a lysate of an HIV-1 virus, classified in class 424, subclass 188.1; and an election of one species of polypeptide from Invention I, II, or III.

Applicants provisionally elect to prosecute Group II, claims 32-34, and elect the peptide of SEQ ID NO:32 for prosecution in this application with traverse. Claims 32-34 read on the elected species.


According to M.P.E.P. § 803, restriction is improper if the search and examination of all claims can be made without *serious burden*. Applicants respectfully submit that the examination of all of claims 32-37 could be made without *serious burden*, and request reconsideration of the restriction requirement.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 15, 2005

By:   
Salvatore J. Arrigo  
Reg. No. 46,063  
Tel.: 202-408-4160  
Fax: 202-408-4400  
E-mail: arrigos@finneganc.com